

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

This application has been reviewed in light of the Office Action dated June 13, 2003. Claims 1-11, and 17-25 are currently pending. It is gratefully acknowledged that the Examiner finds allowable subject matter in Claims 5-8, 19, and 22-25.

In the Office Action, the Examiner has rejected Claims 1, 2, 9-11, 17, and 18 under 35 U.S.C. § 102(e) as being anticipated by *Chennakeshu et al.* (U.S. 6,192,503), and Claims 3, 4, 20, and 21 under 35 U.S.C. § 103(a) as being unpatentable over *Chennakeshu et al.* in view of *Hagenauer et al.* (U.S. 6,377,610).

As stated above, the Examiner has rejected independent Claims 1 and 17 under 35 U.S.C. § 102(e) as being anticipated by *Chennakeshu*. Among other things, the Examiner asserts that *Chennakeshu* discloses a controller (160) for determining an iterative decoding number according received message information (column 9, lines 37-55). However, it is respectfully submitted that the Examiner is incorrect. There is no mention in this cited section or any other section of *Chennakeshu* that the signal strength determiner (160), which the Examiner equates with the controller of Claim 1, determines an iterative decoding number. Column 9, lines 37-55 recites that a signal strength determiner 160 determines the strengths of first and second received sequences, in order to select a stronger of the two signals. Further, *Chennakeshu* teaches using the stronger signal to potentially allow for “a reduction in the number of decoding iterations required to produce an estimate having a desired reliability”. Therefore, it is respectfully submitted that there is no disclosure of determining an iterative decoding number as recited in Claims 1 and 17 of the present application.

Additionally, the present invention, as recited in Claims 1 and 17, teaches simultaneously transmitting a transmission message and information (an iterative decoding number) related to the transmission message. Further, a receiver determines the iterative decoding number by using

information related to a received transmission message and decodes the transmission message according to the determined iterative decoding number.

On the contrary, *Chennakeshu* teaches performing a decoding step of information related to a transmission message as well as a decoding step of the transmission message. Further, *Chennakeshu* discloses a feature for decoding a message of a higher received signal strength prior to a message of a lower signal strength, based on the received signal strength, regardless of an iterative decoding number. Additionally, *Chennakeshu* fails to teach any feature for determining an iterative decoding number. Therefore, it is respectfully submitted that Claims 1 and 17 are patentably distinct from *Chennakeshu*.

Additionally, as indicated above, independent Claims 1 and 17 have been amended to be further distinguished from the Examiner's cited art, more specifically, *Chennakeshu*. Accordingly, it is respectfully requested that the rejection of Claims 1 and 17 be withdrawn, and it is respectfully submitted that Claims 1 and 17 are in condition for allowance.

Rejected and objected to dependent Claims 2-11 and 18-25 depend from independent Claims 1 and 17, respectively, and therefore contain the same limitations as independent Claims 1 and 17. Therefore, for at least the same reasons given for independent Claims 1 and 17, Claims 2-11 and 18-25 are considered to be patentable.

In view of the preceding amendments and remarks, it is respectfully submitted that all pending claims, namely Claims 1-11, and 17-25, are in condition for allowance. Should the

Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



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